

Appl. No: 10/821,658  
RCE and Amdt. dated: May 10, 2006  
Final Office Action of: January 10, 2006

## **REMARKS**

### **Rejections under 35 U.S.C. §112**

The Examiner has rejected Claims 1-3, 6, 13, 14, 17, 18, 23, 26, 29, and 61-69 under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement and under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In response, Applicants have canceled Claims 1-3, 6, 13, 14, 17, 18, 23, 26, 29, and 61-69 and have added new Claims 70-79.

### **Newly Added**

Applicants have added Claims 70-79 to protect better the subject matter that Applicants regard as the invention. Applicants respectfully submit that the amendments add no new matter and are fully supported by the application as originally filed. Applicants further submit that the added Claims 70-79 are consistent with Applicants' election, on April 28, 2005, to prosecute the subject matter of Group I, drawn to a process (detecting special nuclear materials).

Applicants have not addressed the further rejections of the pending claims as being moot in view of the amendments and remarks herein. However, Applicants expressly do not acquiesce in the Examiner's findings not addressed herein.

## **CONCLUSIONS**

In view of the foregoing amendments and remarks, Applicants submit that the application is in condition for allowance. If, however, some issue remains which the Examiner feels may be addressed by Examiner's amendment, the Examiner is cordially invited to call the undersigned for authorization.

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Please charge any additional fees, including RCE fees and any required extensions of time, or credit overpayment to Deposit Account No. 120690.

Respectfully submitted,  
Regents of the University of California  
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Dated: June 5, 2006

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